



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 305 Monarch Park Avenue

Date:	January 14, 2010
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	Toronto – Danforth - Ward 29
Reference Number:	Te10002te.row

SUMMARY

This staff report is about a matter which Community Council has delegated authority from City Council to make a final decision.

Transportation Services has assessed an appeal from the owner of 305 Monarch Park Avenue for front yard parking. We do not recommend approval for front yard parking at this location because it does not meet the requirements of the City of Toronto Municipal Code Chapter 918. The owner will be given an opportunity to make a deputation before Community Council.

RECOMMENDATIONS

Transportation Services recommends that Toronto and East York Community Council:

1. deny the request for front yard parking at 305 Monarch Park Avenue.

Financial Impact

There is no financial impact to the City as a result of this report.

ISSUE BACKGROUND

The property owner of 305 Monarch Park Avenue, a single family detached home with a mutual driveway, submitted an application for front yard parking at this location. The applicant was advised that the property was not eligible for front yard parking because it does not meet the regulations of the City of Toronto Municipal Code Chapter 918. The

applicant subsequently submitted an appeal requesting further consideration of this proposal.

The proposal for front yard parking is shown on Appendix 'A', the property data map is shown on Appendix 'B', a digital photo of the property is shown on Appendix 'C' and the applicant's landscape proposal is shown on Appendix 'D'.

COMMENTS

Applicable regulations

Front yard parking is governed by the criteria set out in the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards. The relevant provisions include:

- a minimum of 50% of the City boulevard fronting the property must be landscaped open space, of which 75% must be maintained as soft landscaping;
- prohibit front yard parking where permit parking is authorized on the same side of the street on an alternating basis; and
- a formal poll be conducted to determine whether there is neighbourhood support for the application and that such poll has a favourable result.

Reasons for not approving

The property does not meet the above noted criteria for the following reasons:

- the landscape open space cannot be provided on the City boulevard;
- permit parking is permitted on the same side of the street on an alternating basis; and
- the poll did not meet the minimum 50% response rate of eligible voters.

Poll results

A poll was conducted in accordance with the City of Toronto Municipal Code Chapter 918-14. The area polled comprised both sides of Monarch Park Avenue from 280 to 326 on the even side, including 470 Sammon Avenue and 503 Mortimer Avenue and from 289 to 329 on the odd side, including 472 Sammon Avenue. The deadline for receiving the ballots was December 16, 2009.

Total owners/tenants/residents polled	109	-----
Returned by post office	0	-----
Total eligible voters (total polled minus returned by post office)	109	100%
No reply	65	60%
Total ballots received (response rate)	44	40%
In favour of parking (of ballots received)	24	55%

Opposed to parking (of ballots received)	20	45%
Spoiled ballots	0	0%

The Code states that a poll will be considered valid when at least 50% of the ballots mailed out have been returned. This poll did not meet the minimum response rate and therefore the poll is deemed to be a negative poll.

Other factors

Permit parking on Monarch Park Avenue is authorized on an alternate side basis, within permit parking area 8H. There are two on-street parking permit registered to this address. Permit parking area 8H is currently waitlisted.

Total number of parking permits in area 8H	333	Total permits issued as of November 30, 2009	348
Permits available	0	% of permits allocated	105%

Total number of permit parking spaces on Monarch Park Avenue, between Sammon Avenue and Mortimer Avenue	13	Total permits issued to residents as of November 30, 2009	27
Permits available	0	% of permits allocated	208%

Ramping is not required as there is an existing ramp to service the proposed parking, therefore, on street permit parking is not affected.

On this portion of Monarch Park Avenue, between Sammon Avenue and Mortimer Avenue, there are seven properties licensed for front yard parking and two properties licensed for driveway widening.

There is no tree in the front yard at this location. A review of this application by Urban Forestry has determined that there is no suitable planting site for a tree at this location.

In accordance with the requirements, a review by Toronto Water has revealed that one downspout has been disconnected by the property owner and one downspout at this property is not feasible for disconnection due to no suitable drainage area.

Alternate recommendations

While the property is not eligible for front yard parking because it does not meet the above noted requirements of the Municipal Code, the property does meet the other physical requirements of the Code, (i.e. setback).

Should Community Council decide to grant the appeal for front yard parking at 305 Monarch Park Avenue, it could recommend that:

1. the parking area must be 2.2 m by 5.3 m in dimension;
2. the applicant provide the landscape features substantially in accordance with the plan as shown on Appendix 'D', to the satisfaction of the General Manager of Transportation Services;
3. the applicant pay for the planting of a full shade canopy tree on City property in the general area, preferably on the same street, since Urban Forestry has determined that the planting of a tree at this location is not feasible, subject to the requirements of the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards; and
4. the applicant pay all applicable fees and comply with all other criteria set out in the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards.

CONTACT

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SIGNATURE

Angie Antoniou
Manager, Right of Way Management

ATTACHMENTS

Appendix 'A' - sketch
Appendix 'B' - property data map
Appendix 'C' - photo
Appendix 'D' - applicant's landscape proposal

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